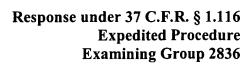


In re Application of: Ryosaku NAKATA



PATENT

ATTORNEY DOCKET NO.: 041094-5028

Confirmation No.: 9228

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

)

		1		
Appli	eation No.: 10/538,080) Group Art Unit: 2836		
Filed:	October 25, 2005) Examiner: S. Bauer		
For:	DEVICE FOR PROTECTION FROM THUNDER (As Amended)) Mail Stop AF)		
Custon Rando	ratent and Trademark Office mer Window, Mail Stop AF olph Building ndria, VA 22314			
	AMENDMENT TRA	ANSMITTAL FORM		
1.	Transmitted herewith is an Amendment responding to the Final Office Action dated October 18, 2006.			
2.	Additional papers enclosed:			
	Drawings: Formal Informal (Correction) Information Disclosure Statement Form PTO-1449, references included Citations Declaration of Biological Deposit Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amind acid sequence.			

Revised: 12/8/04

ATTORNEY DOCKET NO.: 041094-5028

Application No.: 10/538,080

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3.	Extens	sion	OÎ.	l ime

37 C.F	F.R. § 1.136(a) apply.				
\boxtimes	Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.				
	Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:				
	Total Months	Fee for	[Fee for Small		
	Requested	Extension	Entity]		
	one month	\$ 120.00	\$ 60.00		
	two months	\$ 450.00	\$ 225.00		
	three months	\$ 1,020.00	\$ 510.00		
	four months	\$ 1,590.00	\$ 795.00		
	Extension of time fe	e due with this request:	: \$		

If an additional extension of time is required, please consider this a Petition

An extension for _____months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now

The proceedings herein are for a patent application and the provisions of

4. Constructive Petition

therefor.

requested.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Revised: 12/8/04

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Application No.: 10/538,080

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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	4	minus	20	0	x \$50 each=	+ \$0.00
Independent Claims (37 C.F.R.§1.16(b))	2	minus	3	0	x \$200 each=	+ \$0.00
[X] First presentation of Multiple dependent claim(s) \$360.00					+ \$0.00	
SUB-TOTAL =					\$	
Reduction by ½ for filing by a small entity					- \$	
TOTAL FEE =				\$0.00		

6. <u>Fee Payment</u>

\boxtimes	No fee is to be paid at this time.
	The Commissioner is hereby authorized to charge the total fee due of \$ to Deposit Account 50-0310.
\boxtimes	The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

By:

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 8, 2007

George J. Letscher Reg. No. 58,566

CUSTOMER NO. 09629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W. Washington, D.C. 20004

Telephone: (202) 739-3000 Facsimile: (202) 739-3001

Revised: 12/8/04

Response under 37 C.F.R. § 1.116 Expedited Procedure Examining Group 2836



PATENT ATTORNEY DOCKET NO. 041094-5028

IN THE UNITED STATES PATENT AND TRADEMARK FINAL OFFICE

In re Application of:)
Ryosaku NAKATA) Confirmation No. 9228
•)
Application No.: 10/538,080) Group Art Unit: 2836
Filed: October 25, 2005) Examiner: S. Bauer
For: DEVICE FOR PROTECTION)
FROM THUNDER (As Amended)) Mail Stop AF

Commissioner for Patents
U.S. Patent and Trademark Final Office
Mail Stop AF
Alexandria, VA 22314

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated October 18, 2006, and pursuant to 37 C.F.R. § 1.116, the period for response to which extends through January 18, 2007, entry of the Amendment is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.